

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

VS.

NO. 2:13-MJ-177
MAGISTRATE JUDGE KEMP

THOMAS G. THOMPSON

JOINT MOTION FOR WAIVER OF SPEEDY TRIAL

Now comes the United States, by and through its counsel Douglas W. Squires, Assistant United States Attorney and Benjamin G. Dusing, attorney for Defendant Thomas G. Thompson, to jointly move this Court for a waiver of the speedy trial time period stated in 18 U.S.C. §3161(b) wherein it is stated that any Information or Indictment charging an individual with the commission of an offense shall be filed within thirty (30) days from the date on which such individual was arrested or served with a summons in connection with such charges.

On January 27, 2015, Defendant Thomas G. Thompson was arrested in the Southern District of Florida on an arrest warrant based on a criminal complaint which issued in the Southern District of Ohio. The defendant was brought before the Court in the District of arrest and remains in custody. The defendant was ordered detained, remains in custody and is currently in the process of being transported to the Southern District of Ohio. Not considering reasonable time to transport a defendant pursuant to 18 U.S.C. § 3161(h)(F), the earliest date required for indictment may be March 6, 2015.

Pursuant to 18 U.S.C. § 3161(h)(7)(B), the facts which should be considered in determining whether to grant a continuance include whether; (1) a failure to grant a continuance would result in the miscarriage of justice, (2) the case is so unusual or complex due to the nature of

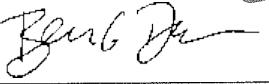
the prosecution and/or novel facts or law so that adequate and reasonable time to prepare for trial does not exist, (3) adequate time to indict does not exist, or (3) a continuance furthers effective representation or continuity of counsel of either the defense or Government. While this case may not appear overly complex, many issues underlying the civil case on which potential criminal charges for contempt of court pursuant to 18 U.S.C. § 401(3) may be brought is complex. The Government and defense counsel have met several times and have extensively discussed the case. While defense counsel has not been able to meet with Defendant Thompson in-person, he has communicated with defendant through family members and the waiver of indictment has been discuss and understood by Defendant Thompson so that this is a knowing, intelligent and voluntary waiver of time. The time which extends beyond initial 30 days following arrest is requested by defendant to facilitate personal face to face meetings with defense counsel prior to any indictment furthering effective representation. Such continuance is requested to further the ends of justice which outweigh the best interest of the public and the defendant in a speedy trial. This request is not opposed by the Government and this is a joint motion.

Therefore, the Defendant and Government are asking this Court to waive the speedy trial period under 18 U.S.C. §3161(b) for 30 days to and including April 3, 2015.

Respectfully submitted,

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United States Attorney


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